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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/642,291

08/18/2003

Shoichiro Yasunami

Q77024

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07/25/2007

SUGHRUE-265550

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EXAMINER

CHU, JOHN S Y

ART UNIT

PAPER NUMBER

1752

MAIL DATE

DELIVERY MODE

07/25/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/642,291

**Applicant(s)**

YASUNAMI ET AL.

**Examiner**

John S. Chu

**Art Unit**

1752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

This Office action is in response to the amendment filed April 4, 2007.

1. The rejection under 35 U.S.C. 103(a) as being unpatentable over TAO (6,977,131 B2) in view of SHULTZ et al (6,306,555 B1) is **withdrawn** in view of the amendment to claim 1 now inserting the language that the crosslinking agent has a molecular weight of 2,000 or below.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, and 4-20 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by KAI et al (2003/0022095 A1).

The claimed invention is drawn to the following:

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1. (currently amended): A negative resist composition comprising:

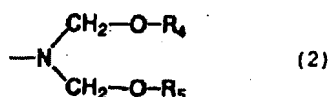
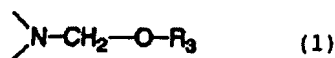
(A) an alkali-soluble resin;

(B-1) a cross-linking agent capable of cross-linking with the alkali-soluble resin (A) by the action of an acid, in which the cross-linking agent is not a resin and is a phenol compound having a molecular weight of 2,000 or below and containing: at least one phenolic hydroxyl group; one or more benzene rings in the molecule; and at least two cross-linking groups bonded to any of the benzene rings, the cross-linking group being a group selected from the group consisting of a hydroxymethyl group, an alkoxymethyl group and an acyloxymethyl group;

(B-2) a cross-linking agent capable of cross-linking with the alkali-soluble resin (A) by the action of an acid, in which the cross-linking agent contains at least two groups selected from the group consisting of the groups represented by the following formulae (1) and (2);

(C) a compound capable of generating an acid upon irradiation with an actinic ray or radiation; and

(D) a nitrogen-containing basic compound:



wherein R<sub>3</sub> represents a hydrogen atom, an alkyl group, or an alkylcarbonyl group; and

R<sub>4</sub> and R<sub>5</sub> each represents a hydrogen atom, an alkyl group or an alkylcarbonyl group.

KAI et al discloses and anticipates the recited claim in Example 6 of Table 1 on page 14.

The composition comprises the presence of two crosslinking agents as seen on page 13, paragraphs [0188] - [0190], wherein the two crosslinking agents are compounds and meet the now recited molecular weight limitation for crosslinking agent (B-1) wherein either of the compounds C-1 or C-2 meets B-1 and the other would meet claimed crosslinking agent B-2.

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The applicants are also directed to the acid dispersion control agent in Example 6, which is a defined to be a dimethyl n-dodecylamine, which meets and anticipates the claimed nitrogen-containing basic compound.

All claims are anticipated and no claims are allowed.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Chu whose telephone number is (571) 272-1329. The examiner can normally be reached on Monday - Friday from 9:30 am to 6:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Cynthia Kelly, can be reached on (571) 272-1526

The fax phone number for the USPTO is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PMR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/John S. Chu/  
Primary Examiner, Group 1700

J.Chu  
July 20, 2007